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SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-398 (Sub-No. 7X)

21 May 2008

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (**X**) Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(**X**) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on April 18, 2008 for public review and comment. In the EA, SEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

SEA received one comment letter from the Tulare County Association of Governments (TCAG) after issuance of the EA.

TCAG indicates that the proposed abandonment would isolate a five mile spur to Ultra. TCAG states that the impacts of isolating this spur, by abandoning the mainline that it is connected to, should be addressed in this EA. The track in question is not part of SJVR's current action before the Board. If the track is subject to Board jurisdiction, the environmental impacts of the abandonment of the track will be properly addressed in the environmental review conducted at the time of its abandonment.

TCAG also indicates that they believe that rail traffic information prior to SJVR's imposition of surcharges should be used in determining increases in truck traffic. SEA uses recent rail traffic information in calculating rail to truck conversion as it most accurately reflects the current conditions and the environmental impacts of the current abandonment before the Board.

Finally, TCAG recommends rewording of Condition #2 which requires SJVR consultation with PUC to require that SJVR abide by PUC's determinations. SEA does not recommend changes to the condition. During the course of consultation, SJVR will address PUC's concerns and comply with PUC's reasonable requests.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the following conditions previously recommended in the EA should be imposed upon any decision granting abandonment authority:

1. San Joaquin Valley Railroad Company (SJVR) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. SJVR shall report back to the Section of Environmental Analysis (SEA) regarding any consultations with the State Historic Preservation Office, any other Section 106 consulting parties that have been identified, and the public. SJVR may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.
2. Prior to conducting any salvage activities along this rail line, San Joaquin Valley Railroad Company shall consult with the California Public Utilities Commission (PUC) regarding PUC's concerns that abandoned track could cause safety hazards on roadways.

If the above conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT: Kenneth Blodgett (202-245-0305) *YHB*